



CITY COUNCIL

Special Meeting

**SPECIAL MEETING
COUNCIL CHAMBERS**

**TUESDAY, DECEMBER 26, 2006
5:30p.m.**

I. OPENING MATTERS

**CALL TO ORDER
ROLL CALL
AGENDA**

II. PUBLIC COMMENT (on proposed action only)

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.

III. ORDINANCES FOR FINAL PASSAGE

Bill No. 100- Establishing the Full-Time Employee Position Ordinance for the City of Reading for fiscal year 2007. **(Mayor) Introduced at the 12/04/06 special meeting of Council; tabled at the 12/15/06 meeting of Council.**

Bill No. 103- Repealing Bill No. 83-2006, guaranteeing the City of Reading Redevelopment Authorities Pension Note. **(Councilman Waltman) Introduced at the 11/30/06 special meeting of Council; tabled at the 12/15/06 special meeting of Council.**

Bill No. 104 - Repealing Bill No. 88-2006, General Obligation Bond to fully fund the three City Pension Funds. **(Councilman Waltman) Introduced at the 11/30/06 special meeting of Council; tabled at the 12/15/06 special meeting of Council.**

Bill No. 105- Requiring a water utility systems analysis. **(Councilman Fuhs) Introduced at the 12/11/06 meeting of Council.**

Bill No. 106- Adopting the 2006 International Plumbing Code **(Solicitor/Codes) Introduced at the 12/11/06 meeting of Council.**

Bill No. 107- Adopting the 2006 Fuel Gas Code **(Solicitor/Codes) Introduced at the 12/11/06 meeting of Council.**

Bill No. 108- Adopting the 2006 Energy Conservation Code **(Solicitor/Codes) Introduced at the 12/11/06 meeting of Council.**

IV. ADJOURN

COUNCIL MEETING SCHEDULE

Closed New Years Day-Mon, January 1st

Finance Committee Meeting-Tues, January 2nd Council Office 5:00p.m.

Administrative Oversight Committee Meeting-Tues, January 2nd, Council Office 5:00p.m.

Meeting w/ the Mayor – Wed, Jan 3rd 4 p.m. Mayor's Office

Committee of the Whole – Mon, Jan 8th, Council Office 5 p.m.

Regular Business Meeting – Mon, Jan 8th, Council Chambers 7 p.m.

BILL NO. _____-2006

A N O R D I N A N C E

AN ORDINANCE ESTABLISHING THE FULL-TIME EMPLOYEE POSITIONS FOR THE CITY OF READING FOR THE FISCAL YEAR 2007.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Full-Time positions for the City of Reading's fiscal year beginning January 1, 2007, and ending December 31, 2007, shall be as set forth in Exhibit A attached hereto and made a part hereof.

SECTION 2. This Ordinance shall become effective January 1, 2007.

Enacted _____, 2006

President of Council

Attest:

City Clerk

(LAW DEPT.)

City of Reading
Listing of Positions
For the 2007 Operating Budget

<i>Division</i>	<i>Position Title</i>	<i>2007 # of Employees</i>
Mayor		
	Administrative Assistant To The Mayor	1
	Executive Assistant To The Mayor	1
	Mayor	1
		<hr/> 3
Managing Director		
	Managing Director	1
	Executive Secretary/ Admin Aide	1
		<hr/> 2
Call Center		
	Call Center Manager	1
	Customer Service Representatives	3
		<hr/> 4
Office of Neighborhood Development		
	Neighborhood Development Manager	1
		<hr/> 1
City Auditor		
	City Auditor	1
	Auditing Coordinator	1
		<hr/> 2
City Council		
	Council President	1
	Council Member	6
	Assistant City Clerk	1
	Administrative Assistant	1
	City Clerk	1
		<hr/> 10
Treasurer		
	Clerk Typist II	3
	Chief Clerk	1
		<hr/> 4
HR-Personnel/Pension		
	Affirmative Action Officer/Recruiter	1
	Confidential Secretary	0.75
	Human Resources Coordinator - Benefits	1

Human Resources Coordinator - Pension	1
Human Resources Supervisor	0.5
Human Resources Director/Risk and Safety	0.5
	<hr/>
	4.75

Solicitor

Solicitor	1
Confidential Secretary	1
Executive Secretary/Admin Aide/Paralegal	1
Legal Specialist	2
	<hr/>
	5

Finance Director

Budget Analyst	0
Confidential Secretary	1
Finance Director	1
Floater - Finance	2
Grant Writer	1
	<hr/>
	5

Garage

Maintenance Mechanic	7
Maintenance Worker I/Parts Person	1
Secretary	1
Small Engine Repairperson	1
Foreman	1
	<hr/>
	11

Purchasing

Purchasing Coordinator	1
	<hr/>
	1

CD Planning

Secretary	0
Zoning Technician	1
Planner II	1
Planner I	0
Planning and Zoning Division Manager	0
	<hr/>
	2

CD Administration

CD Specialist & Historian	0.9
Confidential Secretary	1
Economic Development Manager	1
	<hr/>
	2.9

Accounting

Accounting & Treasury Manager	1
Accountant	1

	Accounting Clerk	1
	CD Specialist	0.25
	Payroll Clerk	1
	Revenue Accountant	1
		<hr/>
		5.25
Tax Administration		
	Budget/Tax Manager	1
	Tax Supervisor	1
	Tax Examiner	1
	EIT Analyst	1
	Tax Specialist	1
	Accounts Coordinator	1
	Secretary	1
	Delinquent Tax Collector	1
	Tax Clerk II	5
	Mailroom/Tax Clerk	0.5
	Clerk Typist II	1
		<hr/>
		14.5
Mailroom		
	Mailroom/Tax Clerk	0.5
		<hr/>
		0.5
Information Technology		
	GIS Analyst - Sewer	1
	GIS Coordinator	1
	Application Specialist	1
	Network Analyst	0
	Network Administrator	1
	Developer	1
	Clerk Typist II	1
	Web Developer	1
	System Support Analyst	1
	IT Manager	1
	Lead Developer	1
	Technical Trainer	0
		<hr/>
		10
Budget		
	Budget/Tax Manager	0
		<hr/>
		0
Traffic Engineering		
	Traffic Planner	0.5
	Services Division Manager	0
	Equipment Operator II	1
	Tradesman	0
	Traffic Engineering Technician	1

Maintenance Worker I/Signmaker	1
Secretary	0.4
Equipment Operator I	1
	<hr/>
	4.9

Police - Criminal Investigations

Investigator	0
Captain 3-3	1
Criminal Investigator	28
Lieutenant	1
Police Officer	3
Police Officer/FTO	1
Court Liason	1
Sergeant	6
	<hr/>
	41

Police - Special Services

Inspector	1
Lead Clerk/Trainer	1
Police Officer	6
Police Officer/FTO	1
Telecommunicator Supervisor	1
Telecommunicator I	1
Telecommunicator II	14
Records Clerk	5
Records Operations Supervisor	1
TAC Officer	1
Lieutenant	2
Secretary - Police Academy	1
Sergeant	4
Shift Supervisor	1
	<hr/>
	40

Police - Patrol

Captain	2
Clerk Typist I	1
Lieutenant	4
Police Officer	115
Police Officer/ ACT CI	2
Police Officer/FTO	8
Police Trainee	7
Inspector	0
Sergeant	18
TAC Officer	0
Radio Dispatcher Supervisor	0
Complaint Clerk	0
Radio Dispatchers	0
	<hr/>
	157

Police - Administration

Chief of Police	1
Deputy Chief of Police	1
Confidential Secretary	1
Sergeant	3
Inspector	1
Police Officer/FTO	0
	<hr/>
	7

Fire Administration

Clerk Typist II	1
Administrative Officer	1
Fire Chief	1
First Deputy Chief	4
	<hr/>
	7

Fire Bargaining Unit

LT Fire Prevention Officer	1
Fire Marshal	1
Lt Fire Training Officer	1
	<hr/>
	3

Fire Suppression

Second Deputy Chief	2nd Deputy Chief	4
Firefighter IV		96
LT Fire Suppression Officer		4
		<hr/>
		104

EMS

Deputy Chief/EMS Mgr	1
EMS Lieutenant	4
Paramedic	20
Transport Coordinator	1
Wheelchair Van Driver	3
	<hr/>
	29

Codes - Development & Inspection

Building Inspector	1
Development and Inspection Clerk	5
Electrical Inspector	1
Health Inspector II	2
Health Officer	1
HVAC Inspector	1
Plumbing Inspector	1
Property Maintenance Inspector	16
Clerk	0
Secretary	0
	<hr/>
	28

Codes Administration

Property Improvement Division Manager	1
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	Codes Administrator	1
	Zoning Administrator	1
	Building Official	1
		<hr/> 4
Public Works		
	Confidential Secretary	1
	Public Works Director	1
	Secretary	0
		<hr/> 2
Engineering		
	Traffic Planner	0.5
	Engineering Aide IV	0.5
	Engineering Aide III	1
	Secretary	0.6
	Services Division Manager	0
		<hr/> 2.6
Highways		
	Equipment Operator II	17
	Secretary	0.25
	Foreman	1
	Highways Supervisor	
	Operations Division Manager	0.33
		<hr/> 18.58
Library Administration		
	Director of Libraries	1
	Assistant Director of Libraries	1
		<hr/> 2
Library - Circulation		
	Librarian I	1
	Librarian II	2
	Librarian III	1
	Library Technician II	2
	Library Technician III	4
		<hr/> 10
Library - Reference		
	Bookmobile Operator	1
	Head Custodian	1
	Librarian II	4
	Librarian III	1
	Librarian Tech II	1
	Maintenance Worker II	1
		<hr/> 9
Library - Children Services		
	Library Technician II	1

	Library Technician III	1
	Librarian II	0
		<hr/> 2
Parks		
	Custodian II	1
	Equipment Operator II	1
	Equipment Operator III	4
	Foreman	2
	Maintenance Worker I	2
	Maintenance Worker II	3
	Maintenance Worker III	3
	Operations Division Manager	0.33
	Secretary	0.25
		<hr/> 16.58
Recreation		
	Superintendent of Recreation	1
	Custodian III	1
	Secretary	0.25
	Operations Division Manager	0
	Recreation Supervisor	2
		<hr/> 4.25
Public Property		
	Foreman	2
	Tradesman	6
	Operations Division Manager	0.33
	Secretary	0.25
		<hr/> 8.58
CD - HUD		
	CD Specialist II	1
	CD Specialist III	1
	CD/Hist Preserv Specialist	0.1
	Community Development Manager	1
	Confidential Secretary	0.5
	Fiscal Officer	0.75
	Rehab Specialist	2
		<hr/> 6.35
Water Administration		
	Foreman	1
	Customer Service Rep.	2
	GIS/CAD Technician	1
	Engineering Aide III	1
	Distribution Engineer	1
		<hr/> 6
Water Collection		
	Equipment Operator I	1

Equipment Operator II	1
Equipment Operator III	1
Foreman	1
Maintenance Worker II	6
Superintendent	1
	<hr/>
	11

Water Purification

Centrifuge Oper. I.	1
Chemist	1
Chief Operator	1
Clerk Typist II	1
Foreman	1
Lab Supervisor/Bact.	1
Maintenance Worker II	5
Tradesman	1
Water Plant Oper. I	1
Water Plant Oper. II	3
Water Quality Oper. II	0
	<hr/>
	16

Water Distribution

Equipment Operator II	3
Field Investigator	3
Foreman	6
Foreman - Crew	1
Foreman - Service	1
Maintenance Mechanic II	1
Maintenance Worker II	8
Maintenance Worker III	6
Superintendent	1
	<hr/>
	30

Self - Insurance

HR Assistant III (Safety & Risk Manager)	1
Director of Human Resources	0.5
Human Resources Supervisor	0.5
Light Duty Position	1
Confidential Secretary	0.25
	<hr/>
	3.25

Sanitary Sewers

System Superintendent	1
Foreman	2
Equip Op II	12
Maint Worker III	1
GIS Analyst	0
Engineer Aide IV	0.5
Engineer Aide III	1
	<hr/>

		17.5
WWTP		
	Maint Supv	1
	Belt Press Op I	3
	Belt Press Op II	0
	Biosolids Supv	0
	Cert Oper/Shift Sup	6
	Chemist	1
	Operations Supv	1
	Elec/Elect Field Eng	1
	Elec/Inst Tech	1
	Utilites Div Manager/Environmentalist	1
	Env Prog Coord	1
	Equip Op II	1
	Foreman	0
	Lab Supv	1
	Lab Tech	4
	Maint Worker II (Mech)	3
	Maint Worker III	4
	Pump Tender (Fritz Is)	4
	Secretary	1
	Serv Utility Person	7
	Sew Plant Op I (6th St.)	4
	Sew Plant Op I (Fritz Is)	2
	Sew Plant Op II (Fritz Is)	2
	Superintendent	1
	Tradesman (Elec)	2
		<hr/>
		52
Recycling		
	Clerk I	1
	Clerk Typist II	1
	Equipment Operator II	2
	Solid Waste Coordinator	1
	Environmental Services Division Manger	0
	Chief Clerk	1
		<hr/>
		6

Number of Full Time Employees

BILL NO. _____ 2006
AN ORDINANCE

**AN ORDINANCE REPEALING BILL NO. 83-2006, GUARANTEEING THE CITY OF
READING REDEVELOPMENT AUHTORITIES PENSION NOTE**

SECTION 1. Repealing Bill No. 83-2006, guaranteeing the City of Reading

Redevelopment Authorities Pension Note.

SECTION 2. This Ordinance shall become effective ten (10) days after its approval, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2006

Vaughn D. Spencer, President of Council

Attest:

City Clerk

(Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

**BILL NO. _____ 2006
AN ORDINANCE**

AN ORDINANCE REPEALING BILL NO. 88-2006, GENERAL OBLIGATION BOND TO FULLY FUND THE THREE CITY PENSION FUNDS

SECTION 1. Repealing Bill No. 88-2006, General Obligation Bond to fully fund the three City

Pension Funds

SECTION 2. This Ordinance shall become effective ten (10) days after its approval, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2006

Vaughn D. Spencer, President of Council

Attest:

City Clerk

(Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO. _____-2006

A N O R D I N A N C E

THE CITY OF READING CITY COUNCIL FORMS A COMMITTEE TO OVERSEE A WATER UTILITY SYSTEMS ANALYSIS.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 210 of the City of Reading Home Rule Charter provides City Council with the authority to make or cause to be made investigations, audits or studies of the City and the conduct of any City department, office or agency. The Water Authority Lease Agreement Article III, Section 3.03, and Article VII, Sections 7.03 and 7.04. requires the City to perform certain functions and services for the Water Authority. This water utility systems analysis addresses the City's obligations and is being performed so that the Authority and customers served by the water system will receive the benefits accruing from proper and efficient operation and maintenance of the water system. Section 8 of the Addendum to the lease agreement requires an annual review of the lease agreement and its addendums.

SECTION 2. Under these authorities, City Council forms a Water Utility Committee composed of the following to oversee the implementation of a Water Utility Systems Analysis:

- One representative of City Council
- The Managing Director or his designee
- The Executive Director of the Reading Area Water Authority or his designee
- David Binder, Esquire
- Chair of the Legislative Aide Committee

SECTION 3. City Council directs that the analysis address the effectiveness and efficiency of the Water Utility System operations and include any and all relative City and Water Authority operations and:

- a. timeline for the completion of the analysis;
- b. monthly progress reports to the body of Council, the Administration and Water Authority Board;
- c. presentation of the full findings to City Council, the Administration and the Water Authority Board;
- d. identify and recommend corrective actions.

SECTION 4. This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

BILL NO. #_____2006

An ordinance of the City of Reading adopting the 2006 edition of the *International Fuel Gas Code*, regulating and governing fuel gas systems and gas-fired appliances in the City of Reading; providing for the issuance of permits and collection of fees therefore; repealing all other ordinances and parts of the ordinances in the City of Reading in conflict therewith.

WHEREAS, by Act 45 of 1999 the Commonwealth of Pennsylvania adopted a statewide building code called the Uniform Construction Code ("UCC");

WHEREAS, in adopting the UCC the Commonwealth of Pennsylvania elected to adopt the International Codes issued by the International Code Council as the controlling codes;

WHEREAS, municipalities throughout the Commonwealth of Pennsylvania were allowed to elect whether to enforce the UCC by opting in or not to so enforce by opting out;

WHEREAS, the Commonwealth of Pennsylvania permitted municipalities opting in to enforcement of UCC to carry over into their adoption of the International Codes and enforcement of the UCC any pre July 1, 1999 commercial code provisions as amendments thereto;

WHEREAS, City of Reading elected to opt in and enforce UCC and thus the International Codes for commercial code enforcement throughout the City of Reading with selected pre July 1, 1999 amendments as provided for;

WHEREAS, when the Commonwealth of Pennsylvania adopted the UCC they selected the 2003 International Codes as the codes for utilized as enforcement and all municipalities opting in to enforcement of UCC were required to do so and adopt the requisite 2003 International Codes by August 7, 2004;

WHEREAS, the Commonwealth of Pennsylvania mandated the specific International Codes to be adopted for enforcement of the UCC;

WHEREAS, the International Fuel Gas Code is a state mandated International Code to be adopted by the municipalities opting in to enforcement of the UCC;

WHEREAS, in accord with the Commonwealth's mandate and its election to opt in to enforcement of the UCC and thus 2003 International Codes by Bills enacted April 26, 2004 the City of Reading adopted the 2003 International Codes;

WHEREAS, the International Codes are changed / updated every three (3) years;

WHEREAS, by Act 108 of 2006 the Commonwealth of PA adopted the 2006 edition of the International Codes as the codes to be utilized for enforcement of the UCC;

WHEREAS, the Commonwealth of Pennsylvania requires all municipalities opting in to enforcement of the UCC to adopt the 2006 edition of the requisite International Codes by December 31, 2006 to comply with and enforce the UCC; and

WHEREAS, City of Reading desires to continue enforcement of the UCC and remain opted in as well as confirm the mandate of the Commonwealth of Pennsylvania it adopts the 2006 edition of the requisite International Codes

NOW THEREFORE, The City Council of the City of Reading does hereby ordain as follows:

SECTION 1. That a certain document, three (3) copies of which are on file in the office of the City Clerk of City of Reading, being marked and designated as the *International Fuel Gas Code*, 2006 edition, including Appendix **Chapters (A, B, C, and D)** (see *International Fuel Gas Code* Section 1013, 2006 edition), as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Reading, in the Commonwealth of Pennsylvania regulating and governing fuel gas systems and gas-fire appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties,

conditions and terms of said Fuel Gas Code on file in the office of City Clerk for the City of Reading are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. AMENDMENTS. That the following sections are hereby revised:

Section 101.1 is amended by deleting the words "NAME OF JURISDICTION" and the brackets surrounding that phrase and by inserting in place thereof the words "the City of Reading."

Section 106.5.2 is amended by deleting the words " **APPROPRIATE SCHEDULE**" and the brackets surrounding that phrase and by inserting in place thereof the words **Same as All Trades**

Section 106.5.3(2) is amended by deleting the words "INSERT PERCENTAGE and the brackets surrounding the phrase and by inserting in place thereof the language "80% of the permit fee, excluding the \$2.00 Administrative Fee"

Section 106.5.3(3) is amended by deleting the words "INSERT PERCENTAGE" and the brackets surrounding the phrase and by inserting in place thereof the language "0% (no refund shall be issued for plan review"

Section 108.4 is amended by

1. deleting the words "SPECIFY OFFENSE" and the brackets surrounding that phrase and by inserting in place thereof the word "Summary Offense";
2. deleting the word "AMOUNT" and the brackets surrounding that phrase and by inserting in place thereof "\$500.00 - \$1,000.00"; and
3. deleting the words "NUMBER OF DAYS" and the brackets surrounding that phrase and by inserting in place thereof "90 Days".

Section 108.5 is amended by inserting amounts of "\$500.00 to \$1,000.00"

SECTION 3. REPEAL. All other ordinances or parts of ordinances of the City of Reading in conflict herewith are hereby repealed but for any pre-July 1, 1999 amendments adopted thereto in accordance with applicable law and regulations and carried over and adopted as part of this Ordinance adopting the 2006 International Fuel Gas Code as the Fuel Gas Code for the City of Reading.

SECTION 4. CONSTITUTIONALITY AND SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Reading hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. STATE LAW AND REGULATIONS. In all matters that are regulated by the law of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, or other ordinances of the City of Reading, PA, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this ordinance. This code shall control in all cases where the State requirements, or the requirements of other ordinances of this City, are not as strict as those contained in this ordinance.

SECTION 6. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS. That nothing in this ordinance or in the Fuel Gas Code hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. PUBLICATION. That the City Clerk is hereby ordered and directed to cause this ordinance to be published as required by all applicable statutes, laws, regulations, charters and ordinances.

SECTION 8. NAME. This Ordinance shall be known as the International Fuel Gas Code and Fuel Gas Code of the City of Reading.

SECTION 9. ENFORCEMENT. The Fuel Gas Code of the City of Reading shall be enforced by City of Reading Codes Service Division – Building / Trades and / or City of Reading Fire Marshal or his/her designee of the Fire Prevention Division of the City of Reading Department of Fire and Rescue.

SECTION 10. EFFECTIVE DATE.

This ordinance shall become effective on December 31, 2006.

Enacted by Council on _____ 2006

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

BILL NO. # _____ 2006

An ordinance of the City of Reading adopting the 2006 edition of the *International Energy Conservation Code*, regulating and governing energy efficient building envelopers and installation of energy efficient mechanical, lighting and power systems in the City of Reading; providing for the issuance of permits and collection of fees therefore; repealing all other ordinances and parts of the ordinances in the City of Reading in conflict therewith.

WHEREAS, by Act 45 of 1999 the Commonwealth of Pennsylvania adopted a statewide building code called the Uniform Construction Code (“UCC”);

WHEREAS, in adopting the UCC the Commonwealth of Pennsylvania elected to adopt the International Codes issued by the International Code Council as the controlling codes;

WHEREAS, municipalities throughout the Commonwealth of Pennsylvania were allowed to elect whether to enforce the UCC by opting in or not to so enforce by opting out;

WHEREAS, the Commonwealth of Pennsylvania permitted municipalities opting in to enforcement of UCC to carry over into their adoption of the International Codes and enforcement of the UCC any pre July 1, 1999 commercial code provisions as amendments thereto;

WHEREAS, City of Reading elected to opt in and enforce UCC and thus the International Codes for commercial code enforcement throughout the City of Reading with selected pre July 1, 1999 amendments as provided for;

WHEREAS, when the Commonwealth of Pennsylvania adopted the UCC they selected the 2003 International Codes as the codes for utilized as enforcement and all municipalities opting in to enforcement of UCC were required to do so and adopt the requisite 2003 International Codes by August 7, 2004;

WHEREAS, the Commonwealth of Pennsylvania mandated the specific International Codes to be adopted for enforcement of the UCC;

WHEREAS, the International Energy Conservation Code is a state mandated International Code to be adopted by the municipalities opting in to enforcement of the UCC;

WHEREAS, in accord with the Commonwealth’s mandate and its election to opt in to enforcement of the UCC and thus 2003 International Codes by Bills enacted April 26, 2004 the City of Reading adopted the 2003 International Codes;

WHEREAS, the International Codes are changed / updated every three (3) years;

WHEREAS, by Act 108 of 2006 the Commonwealth of PA adopted the 2006 edition of the International Codes as the codes to be utilized for enforcement of the UCC;

WHEREAS, the Commonwealth of Pennsylvania requires all municipalities opting in to enforcement of the UCC to adopt the 2006 edition of the requisite International Codes by December 31, 2006 to comply with and enforce the UCC; and

WHEREAS, City of Reading desires to continue enforcement of the UCC and remain opted in as well as confirm the mandate of the Commonwealth of Pennsylvania it adopts the 2006 edition of the requisite International Codes

NOW THEREFORE, The City Council of the City of Reading does hereby ordain as follows:

SECTION 1. That a certain document, three (3) copies of which are on file in the office of the City Clerk of City of Reading, being marked and designated as the *International Energy Conservation Code*, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Reading, in the Commonwealth of Pennsylvania regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of City Clerk for the City of Reading are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. AMENDMENTS. That the following sections are hereby revised:

Section 101.1 is amended by deleting the words "NAME OF JURISDICTION" and the brackets surrounding that phrase and by inserting in place thereof the words "the City of Reading."

SECTION 3. REPEAL. All other ordinances or parts of ordinances of the City of Reading in conflict herewith are hereby repealed but for any pre-July 1, 1999 amendments adopted thereto in accordance with applicable law and regulations and carried over and adopted as part of this Ordinance adopting the 2006 International Energy Conservation Code as the Energy Conservation Code for the City of Reading.

SECTION 4. CONSTITUTIONALITY AND SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Reading hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. STATE LAW AND REGULATIONS. In all matters that are regulated by the law of the Commonwealth of Pennsylvania or by regulations of departments or agencies of the Commonwealth promulgated by authority of law, such laws or regulations, or other ordinances of the City of Reading, PA, as the case may be, shall control where the requirements thereof are the same as or in excess of the provisions of this ordinance. This code shall control in all cases where the State requirements, or the requirements of other ordinances of this City, are not as strict as those contained in this ordinance.

SECTION 6. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.

That nothing in this ordinance or in the Energy Conservation Code hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby

repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. PUBLICATION. That the City Clerk is hereby ordered and directed to cause this ordinance to be published as required by all applicable statutes, laws, regulations, charters and ordinances.

SECTION 8. NAME. This Ordinance shall be known as the International Energy Conservation Code and Energy Conservation Code of the City of Reading.

SECTION 9. ENFORCEMENT. The Energy Conservation Code of the City of Reading shall be enforced by City of Reading Codes Service Division – Building / Trades and / or City of Reading Fire Marshal or his/her designee of the Fire Prevention Division of the City of Reading Department of Fire and Rescue Services.

SECTION 10. EFFECTIVE DATE.

This ordinance shall become effective on December 31, 2006.

Enacted by Council on _____ 2006

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk